

3600

3652

DILWORTH & BARRESE, LLP

ATTORNEYS AT LAW

PETER G. DILWORTH
ROCCO S. BARRESE
DAVID M. CARTER
PAUL J. FARRELL
PETER DELUCA

JEFFREY S. STEEN
JOSEPH W. SCHMIDT
RAYMOND E. FARRELL

333 EARLE OVINGTON BOULEVARD
UNIONDALE, NEW YORK 11553

TELEPHONE: (516) 228-8484

FACSIMILE: (516) 228-8516

e-mail: iplaw@dilworthbarrese.com

CALIFORNIA OFFICE

SAN DIEGO, CA 92122

OF COUNSEL

FREDERICK W. PEPPER

VIRGINIA OFFICE

FAIRFAX STATION, VA 22019

OF COUNSEL

JAMES F. POWERS, JR.

ADRIAN T. CALDERONE
GEORGE M. KAPLAN
RUSSELL R. KASSNER
CHRISTOPHER G. TRAINOR
GEORGE LIKOURZOS
EDWARD C. MEAGHER
MICHAEL P. DILWORTH
MICHAEL E. SCATURRO
DANIEL E. TIERNEY
MICHAEL J. MUSELLA
JAKSHA C. TOMIC
WENDY A. GREENSEICH
MICHAEL E. CARMEN

MICHAEL R. BREW
HYUN JONG PARK
CINDYANN ROSS
DWAYNE L. BENTLEY
DOUGLAS M. OWENS III
MICHAEL J. PORCO
HAROLD G. FURLOW**
JOHN F. O'ALLAGHER III
FRANCESCO SARDONE

REGISTERED PATENT AGENT
JUDY NAAMAT

*ADMITTED IN CT ONLY

FACSIMILE TRANSMISSION

RECEIVED

APR 02 2002

GROUP 3600

DATE: 3/18/02TO: CUSTOMER SERVICE CENTER (USPTO)FAXED TO (703) 308-7751FROM: ADRIAN CALDERONENO. OF PAGES TO FOLLOW: 17

MESSAGE: RE: SN 09/923,842
OUR DOCKET ACT 142 (1117-6)

IN CASE OF INCOMPLETE OR INADEQUATE TRANSMISSION, PLEASE CALL (516) 228-8484.

Confidentiality Notice: The information contained in this facsimile is legally privileged and/or confidential information intended for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this facsimile or its content is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone and return the original facsimile message to us by mail or destroy it without making a copy. Thank you.

DILWORTH & BARRESE, LLP

ATTORNEYS AT LAW

PETER O. DILWORTH
ROOCCO S. BARRESE
DAVID M. CARTER
PAUL J. FARRELL
PETER DELUCA

JEFFREY S. STEEN
JOSEPH W. SCHMIDT
RAYMOND E. FARRELL

333 EARLE OVINGTON BOULEVARD
UNIONDALE, NEW YORK 11553
TELEPHONE: (516) 228-8484
FACSIMILE: (516) 228-8516
e-mail: iplaw@dilworthbarrese.com

VIRGINIA OFFICE
FAIRFAX STATION, VA 22019
OF COUNSEL
JAMES R. POWERS, JR.

ADRIAN T. CALDERONE
GEORGE M. KAPLAN
RUSSELL R. KASSNER
CHRISTOPHER O. TRAINOR
GEORGE LIKOUREZOS
EDWARD C. MEAGHER
MICHAEL A. SCATURRO
DANIEL E. TIERNEY
MICHAEL J. MUSELLA
JAKSHA C. TOMIC
WENDY A. GREENSEICH
MICHAEL E. CARMEN

MICHAEL R. BREW
HYUN JONG PARK
DOUGLAS M. OWENS III
MICHAEL J. PORCO
HAROLD O. FURLOW*
JOHN F. GALLAGHER III
FRANCESCO SARDONE
REGISTERED PATENT AGENT
JUDY NAAMAT
*ADMITTED IN CT ONLY

Via Facsimile
March 18, 2002

RECEIVED

APR 02 2002

GROUP 3600

To: Customer Service Center
United States Patent and Trademark Office
Faxed to: (703) 308-7751

Re: U.S. Patent Appln. Serial No. 09/923,842
ALIGNMENT APPARATUS AND METHOD FOR
ALIGNING STACKED DEVICES
Our Docket: ACT-142 (1117-6)

Sirs:

This is in response to the Notice of Incomplete Reply (Nonprovisional) dated March 11, 2002 (copy appended hereto as Exhibit #1) which we have received in connection with the above referenced matter.

The Notice of Incomplete Reply states that our previous reply to the Notice to File Missing Parts was deficient for the following reasons:

1. A properly signed oath was missing.
2. The filing fee was missing.

It is respectfully submitted that the Notice of Incomplete Reply was erroneously issued. The following evidence is included in support of Applicants' request for a reconsideration and withdrawal of said Notice of Incomplete Reply.

Applicants filed the above identified application without a Declaration on August 7, 2001 under Express Mail Label No. EL 820508690US. A copy of the Utility Patent Application Transmittal and reply receipt post card are appended hereto as Exhibit #2.

U.S. PTO Customer Service Center
March 18, 2002

Page 2

Applicants received a Notice to File Missing Parts dated September 14, 2001, and responded thereto with a reply including a Transmittal, a copy of the Notice to File Missing Parts, a Declaration, reply postcard, and assignment documents with recordation cover sheet and a check for the assignment fee. A copy of the Transmittal, the Notice to File Missing Parts of 9/14/01, and the Declaration are appended hereto as Exhibit #3.

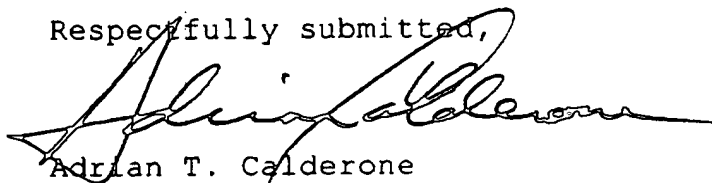
Our records show the following:

- 1) The Transmittal included a request to charge any necessary fees to our charge account. Hence, there is no deficiency in the payment of the required fees.
- 2) The Declaration identified the specification by the Express Mail No. EL 820508690US, which corresponds to the Express Mail number under which the application was originally filed, and therefore identifies the application to which the Declaration corresponds sufficiently to satisfy 37 C.F.R. §1.63.
- 3) The Declaration was signed by applicants.

In view of the above it is respectfully submitted that a complete reply was made to the Notice to File Missing Parts and all of the filing requirements have been satisfied. Reconsideration and withdrawal of the Notice of Incomplete Reply and advancement of the present application are respectfully requested.

The Customer Service Center is invited to contact the undersigned by mail or telephone at (516) 228-8484 to address any matters which need further resolution.

Respectfully submitted,



Adrian T. Calderone
Reg. No. 31,746
Attorney for Applicant(s)